

**RALEIGH BOARD OF ADJUSTMENT**  
**DECISIONS**  
**July 10, 2017**

**A-79-17**, WHEREAS, Halpern Enterprises, property owner, requests a variance to condition 17 of zoning case Z-6-16 to permit the demolition of the Leesville Teacherage which is located on a 7.72 acre tract zoned Neighborhood Mixed Use-3-Conditional Use and located at 9501 Leesville Road and 9513, 9601, 9605 Old Leesville Road.

**Decision:** Motion to approve failed.

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**A-84-17**, WHEREAS, Frank and Kelly Shepherd, property owners, request a 7.05' side yard setback variance pursuant to Section 2.2.1 of the Unified Development Ordinance to enclose an existing porch on the side of the detached house that results in a 2.95' side yard setback on a .42 acre parcel zoned Residential-4 and located at 2612 St. Mary's Street.

**Decision:** Deferred until the August 14, 2017 meeting.

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**A-85-17**, WHEREAS, Steve Sypher Designs, Inc., property owner, requests a 2.5' variance pursuant to Sections 1.5.4.D.1.a. & b. of the Unified Development Ordinance in order to construct a stoop and stairs that result in a 6" primary street setback on a .04 acre parcel zoned Residential-10 and located at 810 E. Davie Street.

**Decision:** Approved as requested.

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**A-86-17**, WHEREAS, The North Carolina Agricultural Foundation, Inc., property owner, requests complete relief from Section 3.2.4.F.1. of the Unified Development Ordinance which requires a minimum ground floor elevation of 2 feet above the average curb level of the adjoining street for 5 Apartment Building Type buildings in a proposed multifamily development located on an 11.24 acre tract zoned Residential Mixed Use -3-Conditional Use and located at 3304 Pine Grove Road.

**Decision:** Approved as requested.

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**A-89-17**, WHEREAS, Richard and Tammy Cook, property owners, request a 1.3' side yard setback variance to pursuant to Section 5.4.3.F.2.a.iv. of the Unified Development Ordinance to legalize an existing accessory garage as well as a 1.9' side yard setback variance and a Special Use Permit pursuant to Section 10.3.6.A.6. of the Unified Development Ordinance to expand it by less than 25% with a pergola addition that results in a 1.7' side yard setback for the existing structure and a 1.1' side yard setback for the proposed pergola extension on a .039 acre parcel zoned Residential-6 and Neighborhood Conservation Overlay District located at 305 Forest Road.

**Decision:** Approved as requested.

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**A-90-17**, WHEREAS, Donna and Kirk Preiss, property owners, request a variance from Section 7.2.5.C.3., of the Unified Development Ordinance in order to construct a dumpster enclosure utilizing a wooden fence instead of a masonry wall on a .2 acre parcel zoned Residential-6 and Neighborhood Conservation Overlay District located at 115 Hawthorne Road.

**Decision:** Deferred until the August 14, 2017 meeting.

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**A-91-17**, WHEREAS, Matthew and Katherine Boes, property owners, request a 3.7' rear setback variance pursuant to Section 2.2.1. of the Unified Development Ordinance to both legalize a portion of the existing detached house and construct an addition to the rear of the existing detached house that results in a 26.3' rear setback on a .3 acre parcel zoned Residential-4 and located at 1409 Dogwood Lane.

**Decision:** Approved as requested.

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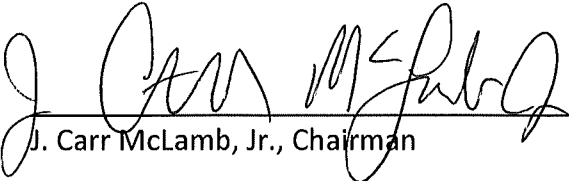
**A-92-17**, WHEREAS, Mathias and Sarah Linden, property owners, request 5.3' side yard setback variance and a 2.4' sum of side setbacks variance pursuant to Section 2.2.1. of the Unified Development Ordinance in order to legalize the existing detached house as well as a 5.3' side yard setback variance and a 2.4' sum of side yard setbacks variance pursuant to Section 2.2.1. of the Unified Development Ordinance to allow for the construction of an addition that results in a 4.7' side yard setback and a 17.6' sum of side setbacks on a .51 acre parcel zoned Residential-2 and located at 2416 E. Lake Drive.

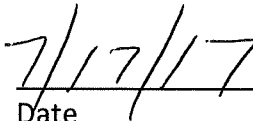
**Decision:** Approved as requested.

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**A-93-17**, WHEREAS, Edward and Karen Brown, property owners, request a 24.3' rear yard setback variance pursuant to Section 2.2.1. of the Unified Development Ordinance in order to construct an addition to the existing detached house that results in a 5.7' rear yard setback on a .35 acre parcel zoned Residential-4 and located at 3207 Milton Road.

**Decision:** Approved with the condition that the foliage screening across the rear of the property line would extend to the edge of the accessory structure.

  
J. Carr McLamb, Jr., Chairman

  
Date